

REMARKS

The Examiner's Action mailed on May 18, 2006, has been received and its contents carefully considered.

In this Amendment, Applicant has amended claims 1-4, 7 and 8, and cancelled non-elected claims 5 and 6 without prejudice or disclaimer. Claim 1 is the sole independent claim, and claims 1-4, 7 and 8 are pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

Claim 1 was rejected under 35 USC §102(b) as anticipated by *Gentry et al.* (US 2001/0003341 A1). This rejection is respectfully traversed.

Gentry et al. discloses a plastic container **10** having a rim **16** with "periodic waves **20**, i.e. undulations or ridges" (see ¶[0019] of *Gentry et al.*). The periodic waves of *Gentry et al.* have a top and a bottom when viewed from the side, i.e. the rim **16** is corrugated in a vertical direction relative to the proper orientation of the container **10**, which may be a plate, tray or bowl, that is to say corrugated in a direction normal to the opening therein.

The present invention, on the other hand, discloses corrugations arranged either horizontally, vertically, or in both directions at once. For example, see page 6, lines 10-13:

The outer peripheral edge 11a of the flange 11 is finely corrugated. In the embodiment shown, the outer peripheral edge 11a of the flange 11 is finely corrugated when seen in the horizontal direction.

;page 7, lines 4-10:

Figs. 3 (A) - (C) are a partly perspective view, a plan view and a front view showing another shape of a flange 11 extended outwardly from the upper end of the peripheral side frame 10 of the container body 1. In the embodiment shown in Figs. 3 (A) - (C), the whole of the flange 11 encompassing the container opening is finely corrugated in the vertical direction.

;and page 8, lines 4-8:

Otherwise, by combining the above-mentioned embodiment and this embodiment, the outer peripheral edge 11a of the flange 11 may be complexly corrugated both in the lateral (horizontal) and vertical directions.

Accordingly, claim 1 has been amended to recite “a peripheral edge encompassing an opening of the packaging container being corrugated in *at least a horizontal direction*” (*emphasis added*). The “horizontal” direction means a direction perpendicular to the opening, i.e. horizontal when the container is upright, whereas “top” and “bottom” in the dependent claims relate to the top and bottom of the waveform of the corrugation, irrespective of the orientation of such corrugations.

Claim 1 therefore patentably defines over *Gentry et al.* , given that *Gentry et al.* only shows corrugations in the vertical direction.

Claims 2-4, 7 and 8 were rejected under 35 USC §103(a) as obvious solely over *Gentry et al.* This rejection is respectfully traversed.

Claims 2-4, 7 and 8 depend from claim 1, and are therefore allowable for at least the same reason that claim 1 is allowable.

It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, however, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 18-0002, and advise us accordingly.

Respectfully submitted,



August 14, 2006

Date

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AMENDMENT

10/523,005